



**US Army Corps
of Engineers**
Louisville District ®

Joint Public Notice

Public Notice No.
LRL-2014-798-sam

Open Date:
2 Nov 2015

Close Date:
2 Dec 2015

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Mr. Scott A. Matthews,
8902 Otis Avenue, Suite S 106B
Indianapolis, IN 46216

Phone: 317-543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA) and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

APPLICANT: Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

AGENT: Lockmueller Group
6200 Vogel Road
Evansville, Indiana 47715

LOCATION: Beginning at the intersection of SR 261 and SR 62
North to intersection of Eskew Road and New
Harmony Road, East to the intersection of New
Harmony Road and SR 61 in Warrick County,
Indiana.

Latitude: 38.0698°N
Longitude: 87.2913°W
7.5 Minute Quad: Boonville

PURPOSE: The purpose of the project is to construct a
bypass of Boonville (Des. No. 1400648).

DESCRIPTION OF WORK: The applicant proposes to construct a bypass around Boonville, discharging 12,292 cubic yards (cys) of fill material into 14 wetlands (totaling 3.767 acres), and 369.1 cys of fill material into 7 streams (totaling 1,878 linear feet). The fill material would consist of clean earthen fill, limestone riprap, and poured concrete. The following table summarizes the proposed impacts to "waters of the United States".

Water Resources	Resource Type	Impact (Linear Feet)	Impact (Acres)
Carter-Traylor Ditch	Perennial	24	NA
Cypress Creek	Perennial	127	NA
UNT 1	Ephemeral	137	NA
UNT 3	Intermittent	372	NA
UNT 5	Perennial	169	NA
UNT 6	Intermittent	746	NA
UNT 7	Ephemeral	303	NA
Wetland 5-1	Ephemeral	NA	0.018
Wetland 6-2	Forested	NA	1.141
Wetland 7-1	Forested	NA	0.122
Wetland 7-4	Forested	NA	1.119
Wetland 7-5	Forested	NA	0.584
Wetland 7-7	Forested	NA	0.180
Wetland 8-1	Forested	NA	0.044
Wetland 9-1	Forested	NA	0.164
Wetland 12-1	Emergent	NA	0.086
Wetland 12-3	Emergent	NA	0.046
Wetland 12-4	Emergent	NA	0.041
Wetland 20-1	Forested	NA	0.071
Wetland 20-2	Forested	NA	0.034
Wetland 21-1	Forested	NA	0.117
Total		1,878	3.767

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant has analyzed 15 alternatives in an Environmental Assessment dated August 2011. The applicant identified 4.53 acres of wetlands within the proposed right-of-way. Through design exemptions, use of guardrails and establishment of avoidance areas, the applicant has reduced the amount of impacts by 0.76 acre to 3.768 acres of wetland impact.

Mitigation would be required to compensate for the proposed impacts to streams and wetlands along the proposed alignment. The Applicant proposes to use an offsite mitigation site known as the "Orchard Road" site for compensatory mitigation. The Applicant also proposes to construct 14.376 acres of forested wetland and 0.346 acre of emergent wetlands to compensate for wetland impacts. Additionally, the Applicant proposes to construct 6.535 acres of emergent wetlands as

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out-of-kind mitigation for stream impacts. Finally, an additional 9.227 acres of wetlands is proposed to be constructed as contingency acreage. The proposed mitigation site is located within the same 8-digit HUC watershed (05140201) as the impact sites.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice serves as the notice for a Clean Water Act Section 401 application for water quality certification from the IDEM. The IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, pre-historical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this

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application. A request for a public hearing must state the specific interest, which might be damaged by issuance of the DA Permit.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency (USEPA), under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections, which are received during this period, will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at

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<http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Scott A. Matthews, CELRL-OPF-N at the address noted above and should refer to the Public Notice Number LRL-2014-798-sam.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2014-798-sam.

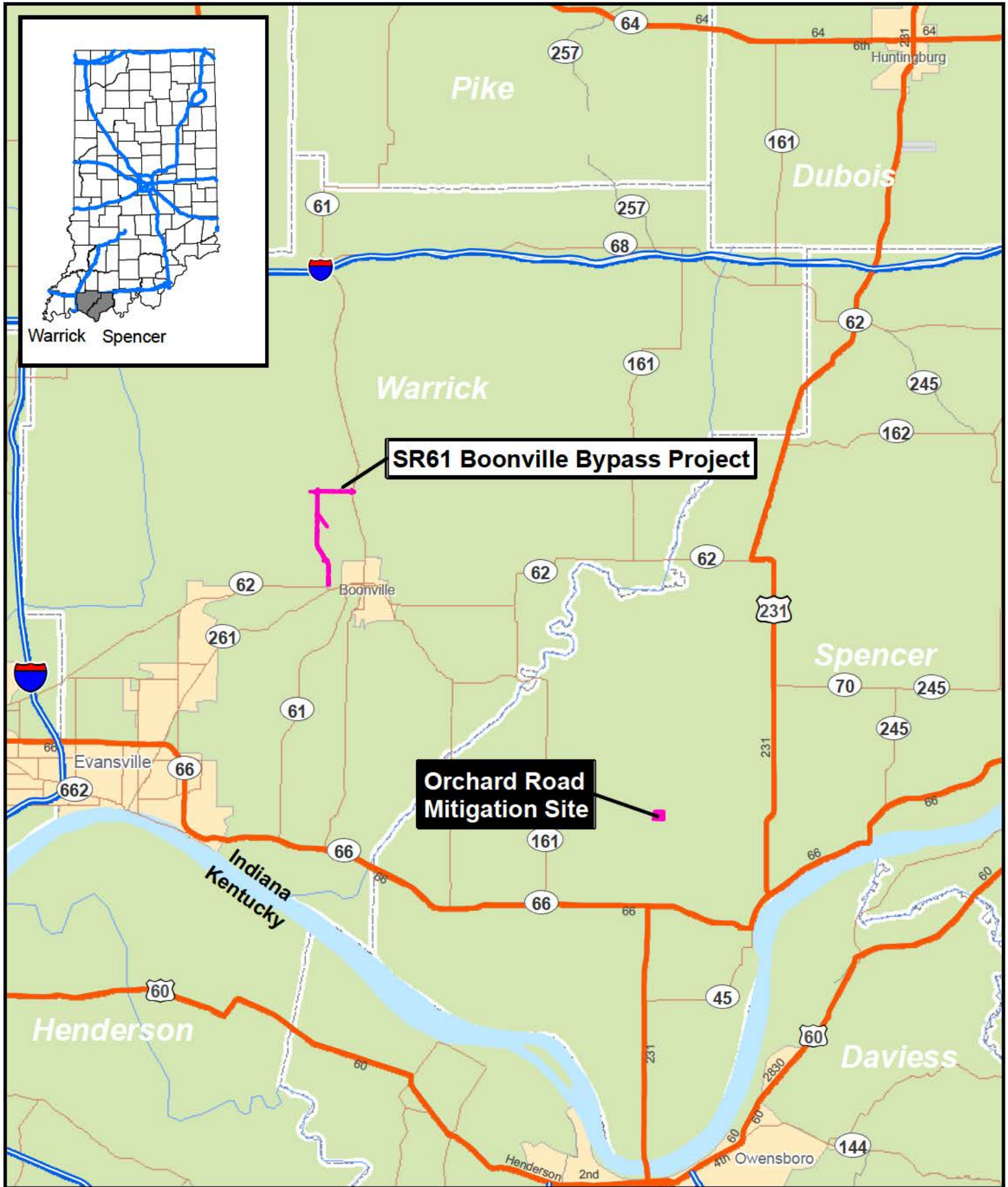
Example:

Subject: LRL-2014-798-sam

b) Provide your physical mailing address and telephone number.

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

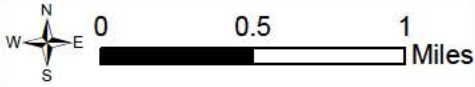


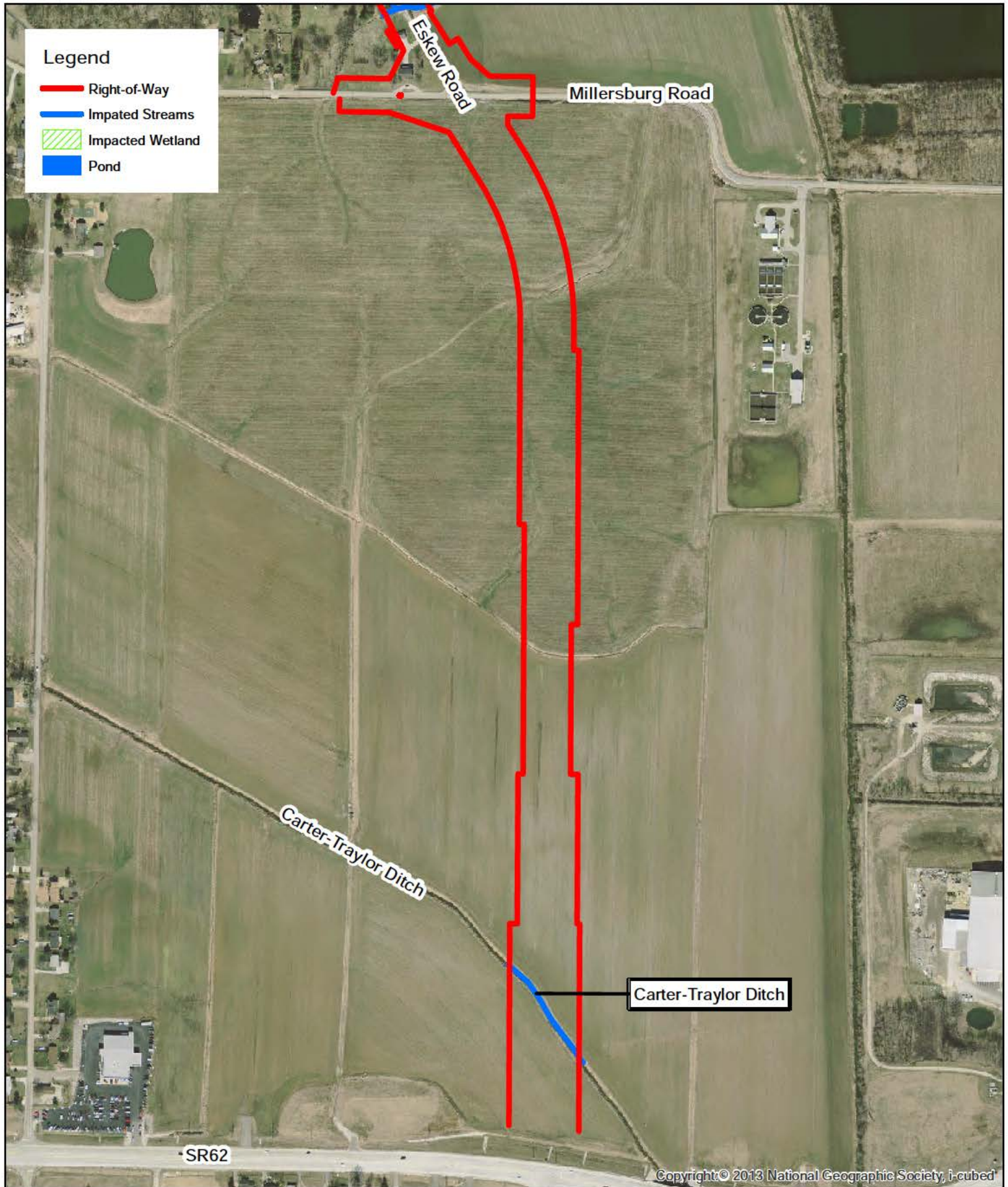
INDOT DES 1400648
Date: 08/16/2015

County: Warrick and Spencer Counties
Municipality: Boonville, IN



Sheet 1 of 7
SR 61 Boonville Bypass
USACE ID No. LRL-2014-798-sam
Project and Mitigation Site Location Map

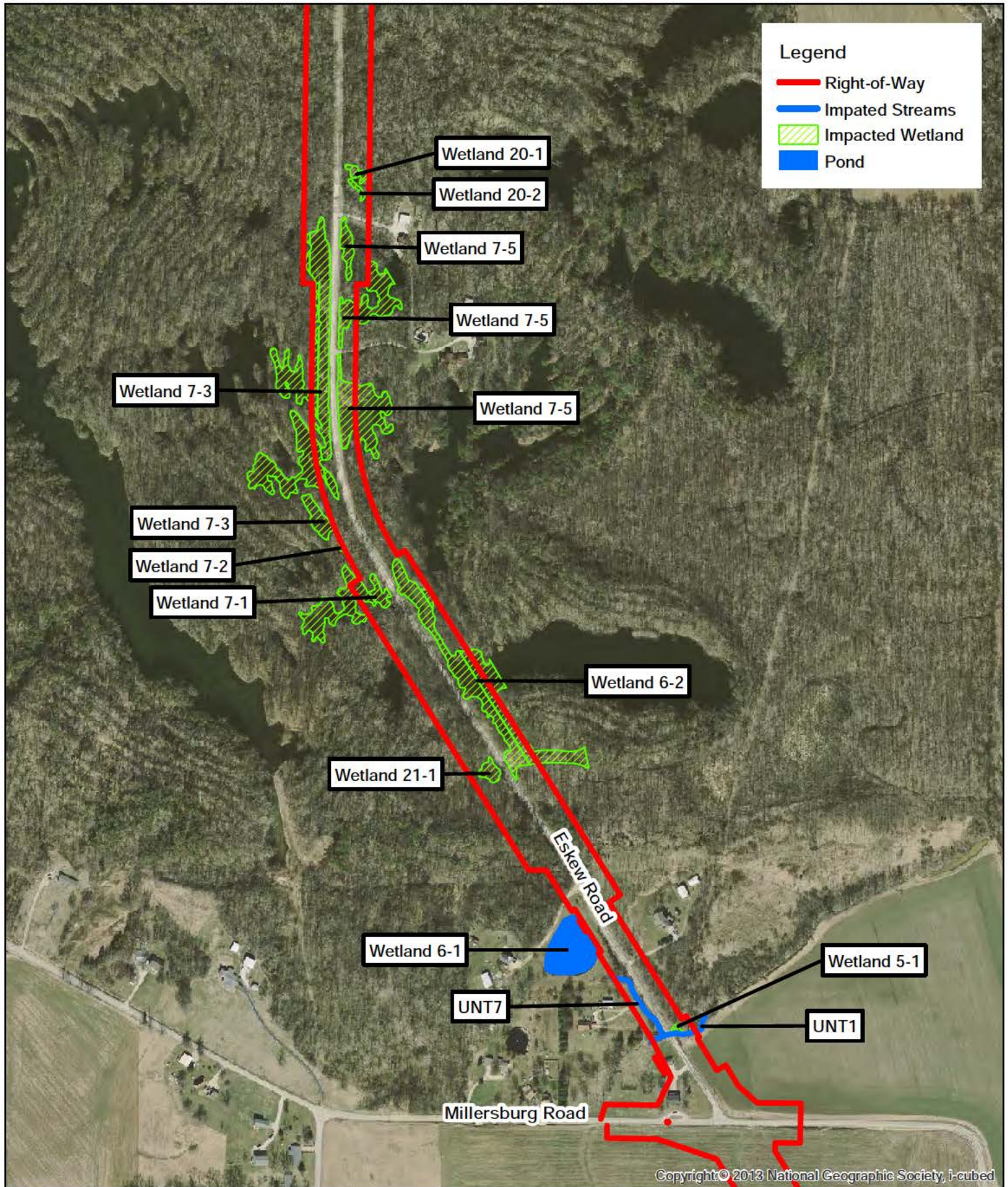
LOCHMUELLER GROUP
6200 Vogel Road
Evansville, IN 47715
Phone: 812.479.6200
Toll Free: 800.423.7411





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<p>INDOT DES 1400648 Date: 08/16/2015</p>	<p>Source: 2013 aerial photography County: Warrick Municipality: Boonville, IN</p>	<p>Sheet 2 of 7 SR 61 Boonville Bypass USACE ID No. LRL-2014-798-sam Project Alignment 1 of 5</p>
<p> 6200 Vogel Road Evansville, IN 47715 Phone: (812) 479-6200 Fax: (812) 479-6262</p>	<p> 0 300 600 Feet</p>	



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Source: 2013 aerial photography
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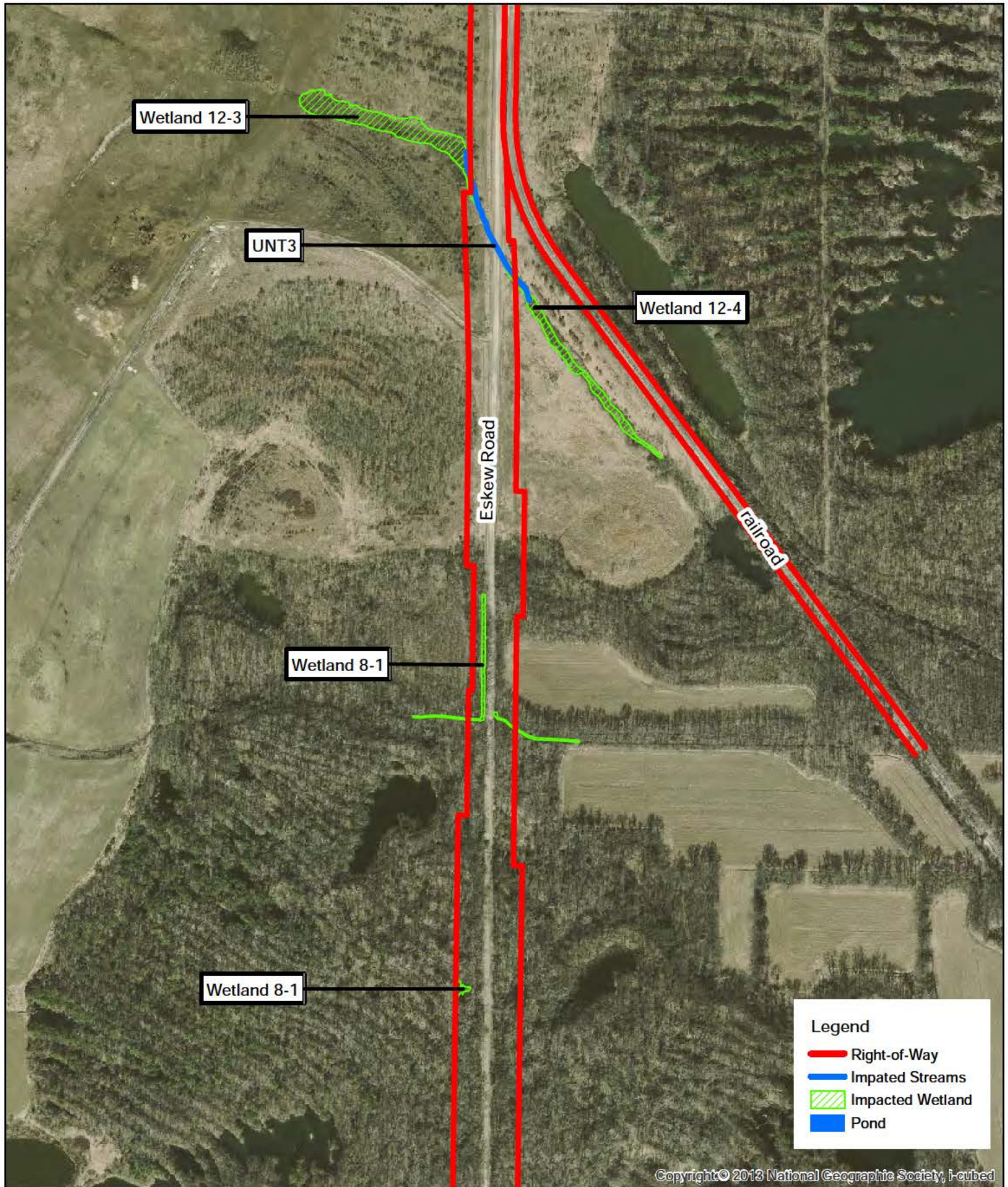
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Project Alignment Map 2 of 5



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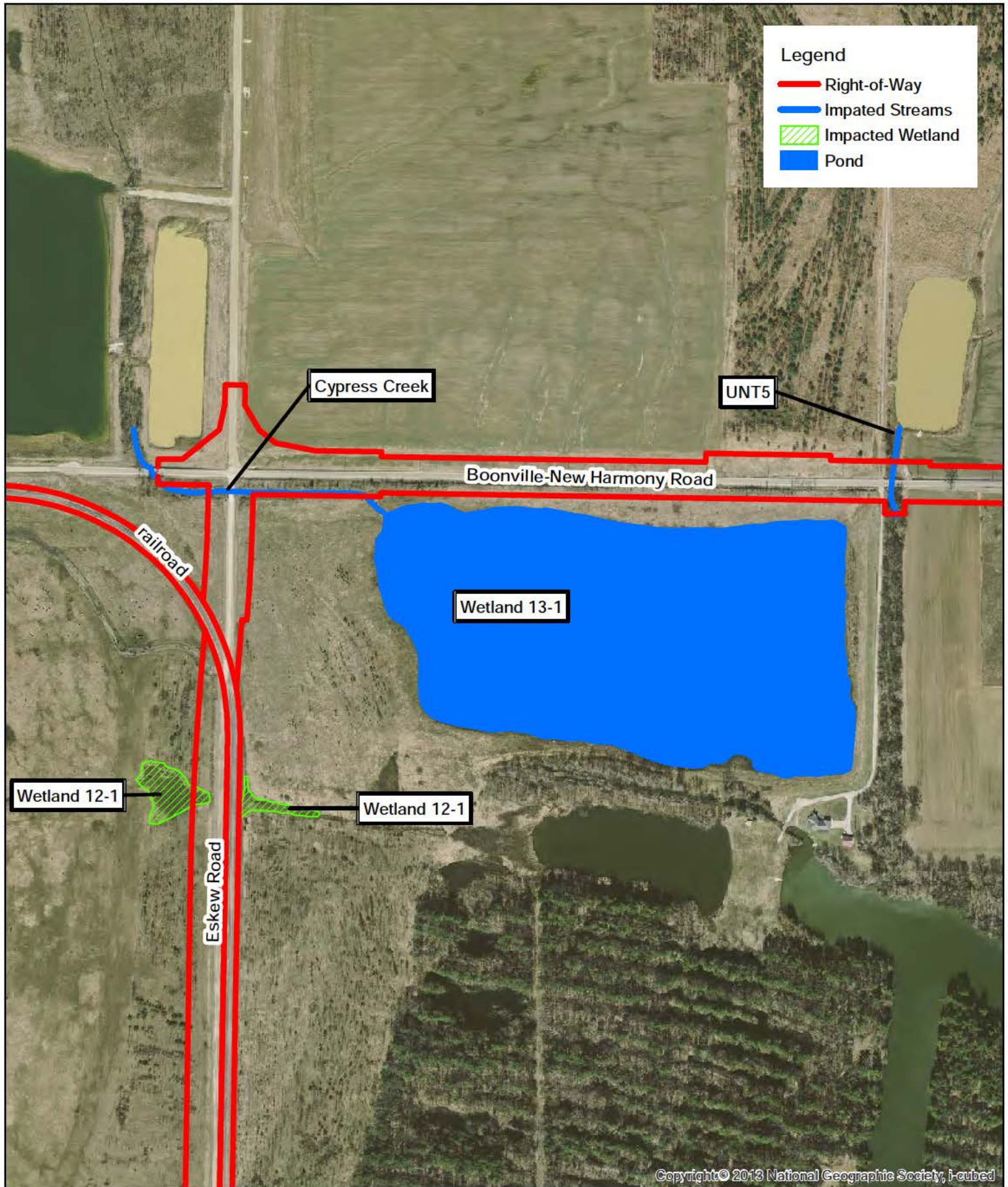
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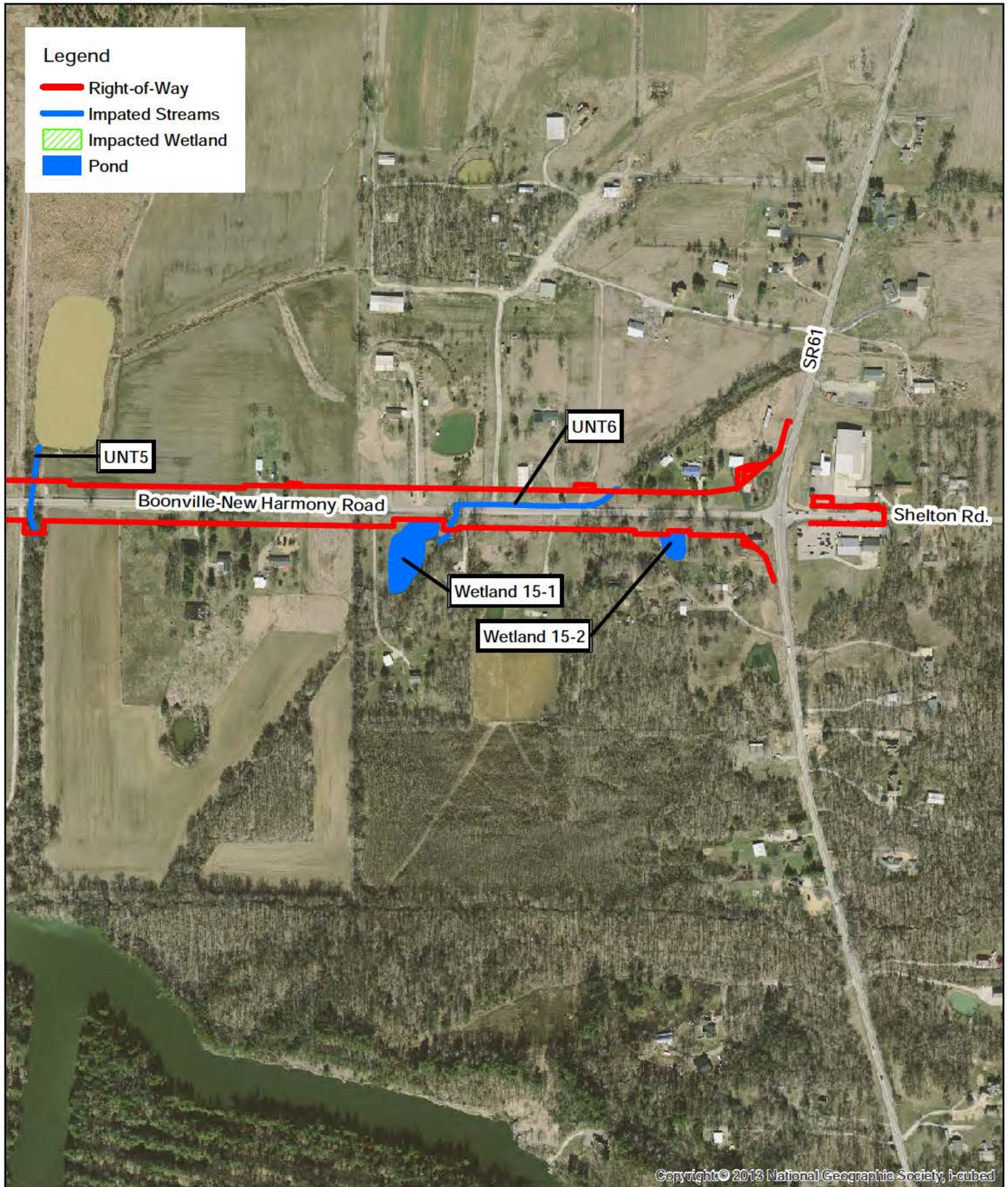
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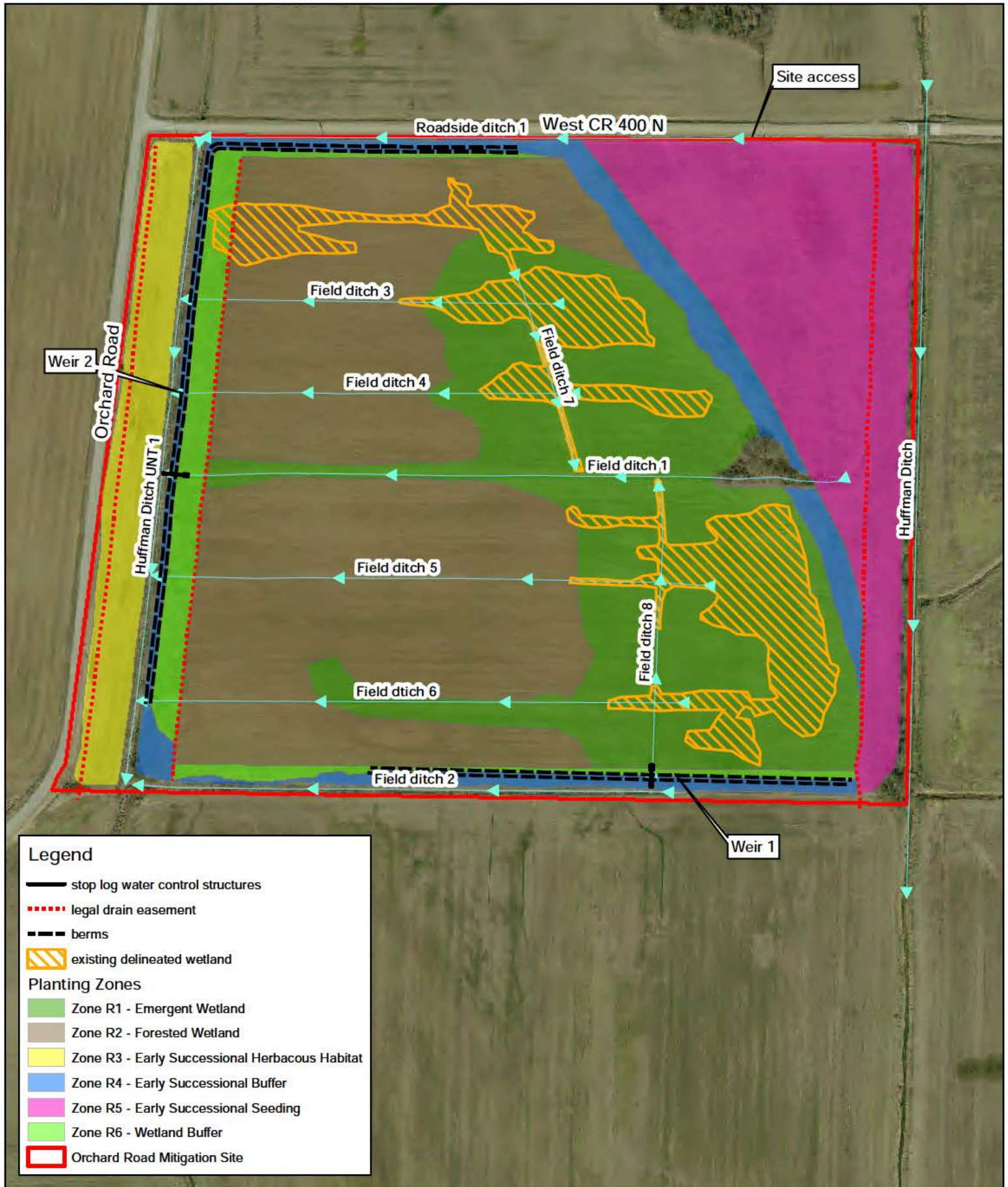
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Project Alignment 5 of 5



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Orchard Road Mitigation Site